oplicant(s):Willie W. NG, et al.

**Patent** 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Information Disclosure

Statement

Group: not yet assigned

) Examiner: not yet assigned

) Our Ref: B-4585 619759-6

For: "A WAVELENGTH RECONFIGURATION

LASER TRANSMITTERS TUNED..."

) Date: April 12, 2005

Commissioner for Patents P.O. Box 1450 Alexandria VA, 22313-1450

Serial No.: 10/766,103

Filed: January 27, 2004

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. Copies of the foreign patent documents and the non-patent publications listed on the enclosed Form PTO-1449 (modified) are enclosed herewith for the Examiner's convenience. Copies of the U.S. patent documents and/or U.S. patent application publications listed on the enclosed Form PTO-1449 (modified) are not enclosed in accordance with 37 C.F.R. § 1.98(a)(2)(ii).

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36844. A copy of the Search Report (3 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36845. A copy of the Search Report (3 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified)

include those cited in the International Search Report for a related PCT Application No. PCT/US02/36846. A copy of the Search Report (3 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36847. A copy of the Search Report (4 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36849. A copy of the Search Report (5 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36982. A copy of the Search Report (4 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US02/36983. A copy of the Search Report (3 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/US03/10730. A copy of the Search Report (3 pages) is enclosed herewith.

The documents listed on the enclosed Form PTO-1449 (modified) include those cited in the International Search Report for a related PCT Application No. PCT/USO3/10959. A copy of the Search

Report (3 pages) is enclosed herewith.

Japanese Document No. 07-264136 is not in English. A concise English-language explanation of the relevance of Japanese Document No. 07-264136 can be found in the enclosed English-language abstract.

It should be noted that the above-identified application may be related by subject matter to the following U.S. Application(s): 10/116,854, filed April 5, 2002 (now U.S. Patent No. 6,724,523 B2); 10/116,801, filed April 5, 2002 (published as U.S. Patent Application Publication No. 2003/0090767 A1); 10/116,829, filed April 5, 2002 (published as U.S. Patent Application Publication No. 2003/0091097 A1); 10/772,112, filed February 3, 2004 (now U.S. Patent No. 6,852,556 B2); 10/116,800, filed April 5, 2002 (now U.S. Patent No. 6,872,985 B2); 10/116,799, filed April 5, 2002 (published as U.S. Patent Application No. 2003/0089843 A1); 10/417,011, filed April 16, 2003 (published as U.S. Patent Application Publication No. 2003/0197917 A1); 10/417,020, filed April 16, 2003 (now U.S. Patent No. 6,867,904 B2); 10/824,197, filed April 13, 2004 (published as U.S. Patent Application Publication No. 2004/0264977 A1); 10/786,721, filed February 24, 2004 (published as U.S. Patent Application Publication No. 2005/0013612 A1). Pursuant to 37 C.F.R. 1.56(a) and M.P.E.P. 2004, paragraph 9, the applicant brings these co-pending applications to the attention of the Examiner. The Examiner should consider this information during the prosecution of the above-identified application. However, citation of these applications does not constitute an admission that the claims of the present application are substantially similar or similar to those of the applications listed above.

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37  $C.F.R. \S 1.56(c)$ ) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450",

on April 12, 2005 by Shana Morda.

Respectfully submitted,

Robert Popa Attorney for Applicant Reg. No. 43,010

LADAS & PARRY 5670 Wilshire Boulevard Suite 2100 Los Angeles, CA 90036 (323) 934-2300

Enclosures: Form PTO-1449 (modified) (7 pages)

Copy of Search Report for PCT/US02/36844 (3 pages)
Copy of Search Report for PCT/US02/36845 (3 pages)
Copy of Search Report for PCT/US02/36846 (3 pages)
Copy of Search Report for PCT/US02/36847 (4 pages)
Copy of Search Report for PCT/US02/36849 (5 pages)
Copy of Search Report for PCT/US02/36982 (4 pages)
Copy of Search Report for PCT/US02/36983 (3 pages)
Copy of Search Report for PCT/US03/10730 (3 pages)
Copy of Search Report for PCT/US03/10959 (3 pages)
Copy of Non-U.S. Patent documents listed on Form PTO1449 (modified)

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Form PTO-1449 (Modified) Page 1 of 7	<b>ATTY DOCKET NO.</b> B-4585 619759-6	U.S. SERIAL NO. 10/766,103		
LIST OF PATENTS AND PUBLICATIONS STATEMENT	APPLICANTS Willie W. Ng., et al.			
	FILING DATE January 27, 2004	GROUP not yet assigned		

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EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME	CLASS	SUB- CLASS	FILING DATE or 102(e) DATE IF APPROPRIATE
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	4,296,319	10/1981	Franks et al.	250	227	
	5,001,336	3/1991	De La Chapelle	250	208.2	
	5,153,762	10/1992	Huber	359	125	
	5,379,309	1/1995	Logan, Jr.	372	18	
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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Modified) Page 2 of 7	<b>ATTY DOCKET NO.</b> B-4585 619759-6	U.S. SERIAL NO. 10/766,103		
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U.S. PATENT DOCUMENTS (Continued)

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<u>EXAMINER</u>	<u>DATE CONSIDERED</u>